

# Southern California Water Committee, Inc. 0001

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June 25, 1999

Mr. Lester Snow

Executive Director

CALFED Bay-Delta Program

1419 Ninth Street, Suite 1155

Sacramento, California 95814

**Re: Essential Elements that must be included in the CALFED Program Prior to Finalizing the Programmatic EIR/EIS and the Record of Decision**

Dear Lester:

The Southern California Water Committee is gravely concerned about the apparent shift of the Bay-Delta Program from the original approach of selecting an Alternative based on technically superior performance to a phased implementation approach which makes no commitment to a technically feasible solution.

The SCWC has long supported the original principle of the CALFED Program — to achieve improvement in all areas, environment, water supply and water quality. However, recent actions, as well as statements from CALFED officials indicate that CALFED is not on a path that will achieve a balanced solution.

In December 1998, CALFED made a number of commitments in the Phase II Report that represented progress on a critical policy framework. In the last six months, CALFED has made no progress and in fact has retreated from those key elements. CALFED needs to make those commitments real.

CALFED's own technical appraisal indicates that a dual conveyance facility in the Delta has the greatest potential to satisfy the Bay-Delta solution principles and program objectives. However, CALFED's phased decision-making approach makes no clear commitment to assuring the water quality benefits that such a facility would provide. A dual conveyance alternative or other north Delta diversion point must remain a viable option in the CALFED Program with a clearly defined decision making process that ensures a decision on conveyance. Under applicable law and specific CALFED authorizations, the Record of Decision must address a full range of reasonable alternatives. It would be illegal and bad public policy to remove the conveyance alternative from the document and exclude it from analysis once the practice is begun of eliminating a reasonable alternative for political reasons, no alternative will be safe and the reason for CALFED ceases to exist.

The CALFED environmental document must also include programmatic findings sufficient to move forward with needed surface storage. The Water Committee believes that CALFED must assess the role of storage in the context of any water management framework. We strongly support a comprehensive effort to evaluate surface storage, groundwater storage, power facility re-operation, and the potential for conjunctive operation of these different types of storage. Surface and groundwater storage should be key elements in any CALFED Bay-Delta solution.

The CALFED environmental document must provide drinking water quality and salinity targets. The SCWC agrees with urban water agencies on their need for a safe drinking water supply from the Bay-Delta to meet current and future regulatory requirements and to protect public health. In addition, low salinity source water from the Bay-Delta is necessary for the implementation of water recycling and groundwater programs that increases Southern California's water reliability. **CALFED's final programmatic EIS/EIS and ROD must establish a specific schedule for achievement of long-term water quality and salinity targets and establish water quality performance milestones to assure attainment of long term water quality targets.** A serious drinking water challenge faces all of California if these targets are not set and achieved.

Negotiations must be completed in CALFED's final programmatic EIR/EIS and ROD on an Environmental Water Account that is coupled with a commitment to an Endangered Species Act no-surprises policy. A "deal is a deal" regulatory assurances for water users is imperative to insure against further erosion of water supplies. The Environmental Water Account must be sufficiently funded and equipped with assets such as new storage, purchase options, efficiency measures, and the ability to apply flexible operations.

**CALFED's final programmatic EIR/EIS and ROD must include approval and early implementation of Stage One actions in the South Delta.** South Delta facilities projects, including VAMP will provide immediate regional and statewide benefits.

To achieve broad support for the CALFED Program, the above elements represent key decisions and actions that are critical. **If necessary, another revised "draft" could be re-circulated later this year.** That would be preferable to another environmental document requiring separate analysis and authorizations for storage and conveyance.

CALFED also must re-engage the active participation of all stakeholders in a more positive constructive process and integrate full stakeholder representation into decision-making. **Without the demonstration of equitable participation of all interests, and a continued commitment to the principle of a balanced solution as agreed to in December 1998, this important process to solve the problems in the Bay-Delta will fail.**

Very truly yours,

  
Stephen A. Zapotichny  
Chairman

  
Richard K. Jemison  
Chair, Bay-Delta Advisory Task Force

cc: Honorable Gray Davis, Governor  
Honorable Dianne Feinstein, Senator  
Honorable Bruce Babbitt, Secretary, U.S. Department of the Interior  
Honorable Mary Nichols, Secretary, California Resources Agency  
Honorable John Burton, President pro Tempore, California State Senate  
Honorable Antonio Villaraigosa, Speaker, California State Assembly  
Honorable Maurice Johannessen, Chair, Senate CALFED Oversight Committee  
Thomas Hannigan, Director, California Department of Water Resources

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